

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

09 CRIM. 1056

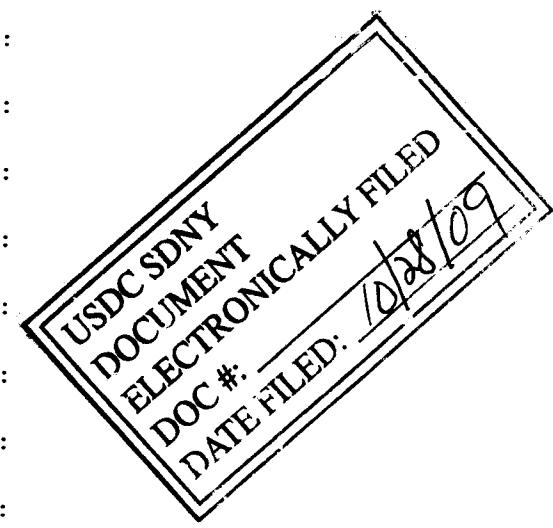
UNITED STATES OF AMERICA

: SEALED  
INDICTMENT

- v. -

: 09 Cr.

JOHNNIE WEAVER,  
a/k/a "Fresh,"  
a/k/a "Esco,"  
DWAYNE HENRY,  
a/k/a "Roc,"  
a/k/a "Rocco,"  
EMANUEL GRAY,  
a/k/a "E-Weezy,"  
a/k/a "E,"  
DAVID CROSBY,  
a/k/a "Smitty,"  
HOWARD RONALD HOLLINGSWORTH,  
a/k/a "Old School,"  
a/k/a "Ron,"  
MARVIN WILLIAMS,  
a/k/a "Manny,"  
a/k/a "Mook,"  
JOHN REAPE,  
a/k/a "Shadow,"  
VICTOR OZUNA,  
a/k/a "U-Man,"  
DASHAWN HARGROVE,  
a/k/a "Day Day,"  
DARNELL WAITERS,  
a/k/a "D-Papers,"  
SHARIF DAVIS,  
a/k/a "Little Reese,"  
JAMEL ROBERTSON,  
a/k/a "B.I.,"  
a/k/a "Biz,"  
FRED BROWN,  
NEVILLE HORSFORD,  
a/k/a "Nev,"  
a/k/a "Nevledge,"  
KEVIN MARTINEZ,  
a/k/a "KK,"  
RAYMOND WAXTER,  
a/k/a "D.O.,"  
a/k/a "Dog,"  
MARK MELENDEZ,  
a/k/a "Sparks,"



JAMES RIDDLES, JR.,	:
a/k/a "Unc,"	
ANTHONY MARTIN,	:
a/k/a "Tyson,"	
ARTURO DIAZ,	:
a/k/a "Tulo,"	
FNU LNU,	:
a/k/a "Netty,"	
ALTON MAGGETTE,	:
a/k/a "Mousy,"	
ALICIA LUGO,	:
a/k/a "Hazel,"	
JAMARRA HEMPHILL,	:
PHYLLISE JOHNSON,	:
a/k/a "Cookie,"	
DESHEIL DILLIGARD,	:
a/k/a "D,"	
CLARENCE COBO,	:
a/k/a "C,"	
JOSEPH COSTELLO, SR.	:
a/k/a "Joe,"	
a/k/a "Cuzo,"	
SHATICHA COSTELLO,	:
a/k/a "Ticha,"	
PATRICIA PILOT,	:
a/k/a "Patty,"	
JUAN DIAZ,	:
a/k/a "Jay,"	
JAMES DAILY,	:
a/k/a "K,"	
JAIRO ELIGIO,	:
a/k/a "Blade,"	
LUIS BONILLA,	:
JOSE CORUJO,	:
JOHN RODRIGUEZ,	:
a/k/a "Buck,"	
LATACIA WILLIAMS JACOBS,	:
MONIQUE GONZALEZ, and	
RONALD BROOKS,	:
a/k/a "Jeter,"	
Defendants.	:

- - - - - - - - - - - - - - - X

COUNT ONE

The Grand Jury charges:

1. In or about 2009, in the Southern District of New York and elsewhere, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," DAVID CROSBY, a/k/a "Smitty," HOWARD RONALD HOLLINGSWORTH, a/k/a "Old School," a/k/a "Ron," MARVIN WILLIAMS, a/k/a "Manny," a/k/a "Mook," JOHN REAPE, a/k/a "Shadow," VICTOR OZUNA, a/k/a "U-Man," DASHAWN HARGROVE, a/k/a "Day Day," DARNELL WAITERS, a/k/a "D-Papers," SHARIF DAVIS, a/k/a "Little Reese," JAMEL ROBERTSON, a/k/a "B.I.," a/k/a "Biz," FRED BROWN, NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," KEVIN MARTINEZ, a/k/a "KK," RAYMOND WAXTER, a/k/a "D.O.," a/k/a "Dog," MARK MELENDEZ, a/k/a "Sparks," JAMES RIDDLES, JR., a/k/a "Unc," ANTHONY MARTIN, a/k/a "Tyson," ARTURO DIAZ, a/k/a "Tulo," FNU LNU, a/k/a "Netty," ALTON MAGGETTE, a/k/a "Mousy," ALICIA LUGO, a/k/a "Hazel," JAMARRA HEMPHILL, PHYLLISE JOHNSON, a/k/a "Cookie," DESHEIL DILLIGARD, a/k/a "D," CLARENCE COBO, a/k/a "C," JOSEPH COSTELLO, SR., a/k/a "Joe," a/k/a "Cuzo," SHATICHA COSTELLO, a/k/a "Ticha," PATRICIA PILOT, a/k/a "Patty," JUAN DIAZ, a/k/a "Jay," JAMES DAILY, a/k/a "K," JAIRO ELIGIO, a/k/a "Blade," LUIS BONILLA, and JOSE CORUJO, the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire,

confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," DAVID CROSBY, a/k/a "Smitty," HOWARD RONALD HOLLINGSWORTH, a/k/a "Old School," a/k/a "Ron," MARVIN WILLIAMS, a/k/a "Manny," a/k/a "Mook," JOHN REAPE, a/k/a "Shadow," VICTOR OZUNA, a/k/a "U-Man," DASHAWN HARGROVE, a/k/a "Day Day," DARNELL WAITERS, a/k/a "D-Papers," SHARIF DAVIS, a/k/a "Little Reese," JAMEL ROBERTSON, a/k/a "B.I.," a/k/a "Biz," FRED BROWN, NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," KEVIN MARTINEZ, a/k/a "KK," RAYMOND WAXTER, a/k/a "D.O.," a/k/a "Dog," MARK MELENDEZ, a/k/a "Sparks," JAMES RIDDLES, JR., a/k/a "Unc," ANTHONY MARTIN, a/k/a "Tyson," ARTURO DIAZ, a/k/a "Tulo," FNU LNU, a/k/a "Netty," ALTON MAGGETTE, a/k/a "Mousy," ALICIA LUGO, a/k/a "Hazel," JAMARRA HEMPHILL, PHYLLISE JOHNSON, a/k/a "Cookie," DESHEIL DILLIGARD, a/k/a "D," CLARENCE COBO, a/k/a "C," JOSEPH COSTELLO, SR., a/k/a "Joe," a/k/a "Cuzo," SHATICHA COSTELLO, a/k/a "Ticha," PATRICIA PILOT, a/k/a "Patty," JUAN DIAZ, a/k/a "Jay," JAMES DAILY, a/k/a "K," JAIRO ELIGIO, a/k/a "Blade," LUIS BONILLA, and JOSE CORUJO, the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

3. The controlled substance involved in the offense was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

MEANS AND METHODS OF THE CONSPIRACY

4. At all times relevant to the Indictment, a heroin distribution organization controlled by JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," the defendants, was operating in the vicinity of the Melrose public housing project (the "Melrose Houses"), on Courtlandt Avenue, in the Morrisania section of the Bronx, New York (the "Courtlandt Avenue Organization," or the "Organization").

5. At all times relevant to the Indictment, the drug trafficking activities of the Courtlandt Avenue Organization were conducted as follows:

a. The Courtlandt Avenue Organization and its associates engaged in retail sales of heroin on a daily basis in several different locations throughout the Melrose Houses. Heroin was sold to customers primarily in "glassine" bags, costing \$10 each. Each glassine of heroin had a particular stamp on it, designating a particular "brand" of heroin. Some of the stamps commonly used by the Organization were "American Gangster," "Magic," and "Poison."

b. During 2009, members and associates of the Courtlandt Avenue Organization sold far in excess of one kilogram of heroin, packaged into glassines.

c. Narcotics trafficking personnel working for the Courtlandt Avenue Organization included "pitchers" who conducted hand-to-hand sales of heroin to customers in exchange for cash; "managers" who collected money from pitchers, resupplied them with narcotics to sell to customers, and provided the narcotics proceeds to the leaders of the Organization; and individuals who controlled and maintained "stash" apartments, where the Organization's heroin was stored. The leaders of the Organization controlled the overall drug trafficking operation and purchased narcotics from outside suppliers.

d. It was understood in the Melrose Houses that JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," the defendants, controlled the distribution of heroin in that community, and that no one outside of the Organization had permission to sell heroin there. In addition, it was understood that no one within the Melrose Houses was permitted to distribute any heroin other than the brands "owned" by WEAVER and HENRY. At the direction of WEAVER and HENRY, members of the Courtlandt Avenue Organization were involved at times in policing the Organization's exclusive drug-dealing "turf."

OVERT ACTS

6. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about March 19, 2009, in the vicinity of 320 East 156<sup>th</sup> Street, Bronx, New York, JOSE CORUJO and LUIS BONILLA, the defendants, sold approximately two glassines of heroin to an undercover officer in exchange for approximately \$25.

b. On or about March 19, 2009, in the vicinity of 320 East 156<sup>th</sup> Street, Bronx, New York, JOSE CORUJO, the defendant, sold approximately two glassines of heroin to an undercover officer in exchange for approximately \$20.

c. On or about March 23, 2009, in the vicinity of 155<sup>th</sup> Street and Courtlandt Avenue, Bronx, New York, EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendant, sold approximately six glassines of heroin to an undercover officer in exchange for approximately \$60.

d. On or about March 23, 2009, in the vicinity of 320 East 156<sup>th</sup> Street, Bronx, New York, LUIS BONILLA, the defendant, sold approximately four glassines of heroin to an undercover officer in exchange for approximately \$40, during the course of two separate sales.

e. On or about March 24, 2009, in the vicinity of 320 East 156<sup>th</sup> Street, Bronx, New York, LUIS BONILLA, the defendant, sold approximately five glassines of heroin to an undercover officer in exchange for approximately \$50.

f. On or about April 2, 2009, in the vicinity of 682 Courtlandt Avenue, Bronx, New York, ALICIA LUGO, a/k/a "Hazel," the defendant, and a co-conspirator not named as a defendant herein ("CC-1"), sold approximately ten glassines of heroin to an undercover officer in exchange for approximately \$90.

g. On or about April 2, 2009, in the vicinity of 320 East 156<sup>th</sup> Street, Bronx, New York, LUIS BONILLA, the defendant, sold approximately five glassines of heroin to an undercover officer in exchange for approximately \$50.

h. On or about April 2, 2009, in the vicinity of 320 East 156<sup>th</sup> Street, Bronx, New York, EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," and DARNELL WAITERS, a/k/a "D-Papers," the defendants, sold approximately three glassines of heroin to an undercover officer in exchange for approximately \$30.

i. On or about April 6, 2009, in the vicinity of 320 East 156<sup>th</sup> Street, Bronx, New York, LUIS BONILLA, the defendant, sold approximately six glassines of heroin to an undercover officer in exchange for approximately \$60.

j. On or about April 9, 2009, in the vicinity of 346 East 156<sup>th</sup> Street, Bronx, New York, ALICIA LUGO, a/k/a "Hazel," the defendant, sold approximately sixteen glassines of heroin to an undercover officer in exchange for approximately \$150.

k. On or about April 9, 2009, in the vicinity of 158<sup>th</sup> Street and Courtlandt Avenue, Bronx, New York, JOHN REAPE, a/k/a "Shadow," the defendant, and a co-conspirator not named as a defendant herein ("CC-2"), sold approximately five glassines of heroin to an undercover officer in exchange for approximately \$60.

l. On or about April 10, 2009, in the vicinity of 158<sup>th</sup> Street and Courtlandt Avenue, Bronx, New York, JOHN REAPE, a/k/a "Shadow," the defendant, sold approximately ten glassines of heroin to an undercover officer in exchange for approximately \$100.

m. On or about April 14, 2009, in the vicinity of 320 East 156<sup>th</sup> Street, Bronx, New York, EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendant, sold approximately two glassines of heroin to an undercover officer in exchange for approximately \$20.

n. On or about April 14, 2009, in the vicinity of 327 East 158<sup>th</sup> Street, Bronx, New York, JOHN REAPE, a/k/a "Shadow," the defendant, sold approximately twenty glassines of

heroin to an undercover officer in exchange for approximately \$180.

o. On or about April 16, 2009, in the vicinity of 411 East 158<sup>th</sup> Street, Bronx, New York, ALICIA LUGO, a/k/a "Hazel," the defendant, sold approximately nine glassines of heroin and a quantity of crack cocaine to an undercover officer in exchange for approximately \$220.

p. On or about April 20, 2009, in the vicinity of 346 East 156<sup>th</sup> Street, Bronx, New York, JAMES DAILY, a/k/a "K," the defendant, sold approximately one glassine of heroin to an undercover officer in exchange for approximately \$10.

q. On or about April 22, 2009, in the vicinity of 156<sup>th</sup> Street and Brook Avenue, Bronx, New York, ALICIA LUGO, a/k/a "Hazel," the defendant, and CC-1 sold approximately 10 glassines of heroin and a quantity of crack cocaine to an undercover officer in exchange for approximately \$180.

r. On or about April 23, 2009, in the vicinity of 365 East 158<sup>th</sup> Street, Bronx, New York, ALICIA LUGO, a/k/a "Hazel," and NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," the defendants, sold approximately ten glassines of heroin and a quantity of crack cocaine to an undercover officer in exchange for approximately \$180.

s. On or about April 28, 2009, in the vicinity of 157<sup>th</sup> Street and Brook Avenue, Bronx, New York, ALICIA LUGO,

a/k/a "Hazel," the defendant, sold approximately seven glassines of heroin and a quantity of crack cocaine to an undercover officer in exchange for approximately \$180.

t. On or about May 21, 2009, in the vicinity of 1166 Simpson Street, Bronx, New York, ALICIA LUGO, a/k/a "Hazel," the defendant, sold approximately ten glassines of heroin and a quantity of crack cocaine to an undercover officer in exchange for approximately \$80.

u. On or about June 25, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and HOWARD RONALD HOLLINGSWORTH, a/k/a "Old School," a/k/a "Ron," the defendants, had a telephone conversation in which HENRY told HOLLINGSWORTH in substance to provide FRED BROWN, the defendant, with a quantity of heroin.

v. On or about June 25, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendants, had a telephone conversation in which GRAY sought HENRY's permission to assault an individual who was selling narcotics in HENRY's territory.

w. On or about June 25, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendants, had a telephone conversation in which GRAY told HENRY in substance that GRAY had narcotics proceeds to give to HENRY, and HENRY said he had an

additional quantity of heroin to bring to GRAY, but was reluctant to do so because of police surveillance cameras in the area.

x. On or about June 26, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," the defendants, had a telephone conversation in which HENRY informed WEAVER in substance that HENRY had just received an additional quantity of heroin from SHARIF DAVIS, a/k/a "Little Reese," the defendant; HENRY said in substance that he would be distributing the heroin "on the street" and that WEAVER'S share of heroin would be stored at the residence of JOSEPH COSTELLO, SR., the defendant; and WEAVER agreed in substance to pick up his heroin at a later time.

y. On or about June 26, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JOSEPH COSTELLO, SR., a/k/a "Joe," a/k/a "Cuzo," the defendants, had a telephone conversation in which HENRY told JOSEPH COSTELLO, SR., in substance to distribute quantities of heroin to DAVID CROSBY, a/k/a "Smitty," and JOHN REAPE, a/k/a "Shadow," the defendants.

z. On or about June 27, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and SHATICHA COSTELLO, a/k/a "Ticha," the defendants, had a telephone conversation in which HENRY asked COSTELLO whether NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," the defendant, had come to her apartment to pick up heroin; COSTELLO responded that

another individual had come instead; HENRY told COSTELLO in substance that KEVIN MARTINEZ, a/k/a "KK," and MARK MELENDEZ, a/k/a "Sparks," the defendants, would be coming to pick up heroin in a short time, and that he would let COSTELLO know how much heroin to give them.

aa. On or about June 27, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendants, had a telephone conversation in which GRAY stated in substance that he needed guns immediately because GRAY was concerned that he was about to be ambushed, and HENRY agreed to come and help GRAY.

bb. On or about June 27, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and MARK MELENDEZ, a/k/a "Sparks," the defendants, had a telephone conversation in which MELENDEZ in substance promised to return \$750 worth of drug proceeds to HENRY once MELENDEZ had finished selling the heroin he had received from HENRY.

cc. On or about June 27, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendants, had several telephone conversations in which GRAY asked in substance if he should purchase a nine-millimeter firearm that was being sold by another individual for \$300, and HENRY replied that GRAY should purchase the firearm and that HENRY would split its cost with GRAY.

dd. On or about June 28, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and MARVIN WILLIAMS, a/k/a "Manny," a/k/a "Mook," the defendants, had a telephone conversation in which WILLIAMS mentioned in substance that he had four .38-caliber pistols in his possession that he might need for use in a confrontation with a rival group, and HENRY and WILLIAMS discussed the risks of mixing the drug business with violence.

ee. On or about June 29, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JOSEPH COSTELLO, SR., a/k/a "Joe," a/k/a "Cuzo," the defendants, had a telephone conversation in which HENRY and JOSEPH COSTELLO, SR. discussed HENRY's decision to require his employees to pay for their heroin up front, rather than receiving it on consignment, and HENRY instructed JOSEPH COSTELLO, SR. to tell SHATICHA COSTELLO, a/k/a "Ticha," the defendant, to make a list of individuals who owed money to HENRY.

ff. On or about June 30, 2009, in the vicinity of 346 East 156<sup>th</sup> Street, Bronx, New York, EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendant, and a co-conspirator not named as a defendant herein ("CC-3"), sold approximately four glassines of heroin to an undercover officer in exchange for approximately \$40.

gg. On or about July 1, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and HOWARD RONALD HOLLINGSWORTH, a/k/a "Old School," a/k/a "Ron," the defendants, had several telephone conversations in which HENRY instructed HOLLINGSWORTH in substance to give quantities of heroin to FRED BROWN and MARVIN WILLIAMS, a/k/a "Manny," a/k/a "Mook," the defendants, and HOLLINGSWORTH agreed to do so.

hh. On or about July 1, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and MARVIN WILLIAMS, a/k/a "Manny," a/k/a "Mook," the defendants, had a telephone conversation in which HENRY informed WILLIAMS in substance that HOWARD RONALD HOLLINGSWORTH, a/k/a "Old School," a/k/a "Ron," the defendant, would be bringing WILLIAMS a quantity of heroin, and that WILLIAMS should keep some of the heroin for himself and give some to ALTON MAGGETTE, a/k/a "Mousy," the defendant, for sale to customers.

ii. On or about July 3, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and PATRICIA PILOT, a/k/a "Patty," the defendants, had a telephone conversation in which PILOT informed HENRY in substance that a quantity of heroin that she and JUAN DIAZ, a/k/a "Jay," the defendant, had been storing on HENRY's behalf had been ruined.

jj. On or about July 3, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JUAN DIAZ,

a/k/a "Jay," the defendants, had a telephone conversation in which DIAZ confirmed in substance that some of HENRY's heroin had been ruined, but stated that the destruction had occurred by accident, and that DIAZ and PATRICIA PILOT, a/k/a "Patty," the defendants, had no intention of stealing from HENRY.

kk. On or about July 4, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JOHN REAPE, a/k/a "Shadow," the defendants, had a telephone conversation in which HENRY instructed REAPE in substance to pick up a quantity of heroin for distribution from HOWARD RONALD HOLLINGSWORTH, a/k/a "Old School," a/k/a "Ron," the defendant, and REAPE stated in substance that he had also received a quantity of heroin for distribution earlier that morning from JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," the defendant.

ll. On or about July 5, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," the defendants, had several telephone conversations in which HENRY asked in substance for help in obtaining a quantity of heroin for distribution, because he had "people waiting," and HORSFORD agreed to contact another individual who might be able to supply HENRY with the heroin.

mm. On or about July 7, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JOHNNIE

WEAVER, a/k/a "Fresh," a/k/a "Esco," the defendants, had a telephone conversation in which HENRY said in substance that he was going to give WEAVER's share of heroin to SHARIF DAVIS, a/k/a "Little Reese," the defendant, for WEAVER to pick up.

nn. On or about July 8, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JAMEL ROBERTSON, a/k/a "B.I.," a/k/a "Biz," the defendants, had a telephone conversation in which HENRY agreed in substance to help ROBERTSON settle a drug debt that another individual owed to ROBERTSON.

oo. On or about July 9, 2009, in the vicinity of 320 East 156<sup>th</sup> Street, Bronx, New York, EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendant, and a co-conspirator not named as a defendant herein ("CC-4"), sold approximately one glassine of heroin to an undercover officer in exchange for approximately \$10.

pp. On or about July 9, 2009, in the vicinity of 304 East 156<sup>th</sup> Street, Bronx, New York, EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendant, and a co-conspirator not named as a defendant herein ("CC-5"), sold approximately five glassines of heroin to an undercover officer in exchange for approximately \$50.

qq. On or about July 9, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and KEVIN

MARTINEZ, a/k/a "KK," the defendants, had a telephone conversation in which MARTINEZ asked in substance if HENRY could pick up a quantity of heroin from JOSEPH COSTELLO, SR., a/k/a "Joe," a/k/a "Cuzo," the defendant, and HENRY replied in substance that he would make sure there was a quantity of heroin at COSTELLO's apartment for MARTINEZ to pick up.

rr. On or about July 11, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JOSEPH COSTELLO, SR., a/k/a "Joe," a/k/a "Cuzo," the defendants, had a telephone conversation in which JOSEPH COSTELLO, SR., stated in substance that he had just received a quantity of heroin on HENRY's behalf and was going to give ANTHONY MARTIN, a/k/a "Tyson," the defendant, a quantity of heroin for distribution, and HENRY said in substance that he would be sending additional employees up to collect heroin.

ss. On or about July 11, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JUAN DIAZ, a/k/a "Jay," the defendants, had a telephone conversation in which HENRY asked DIAZ in substance for drug proceeds owed to HENRY, and told DIAZ that DIAZ had been "short" too many times, and DIAZ promised to pay HENRY.

tt. On or about July 14, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and RAYMOND WAXTER, a/k/a "D.O.," a/k/a "Dog," the defendants, had a

telephone conversation in which they discussed in substance the amount of drug proceeds that WAXTER had provided to HENRY, the quantity of heroin that HENRY had provided to WAXTER, and whether HENRY owed WAXTER money.

uu. On or about July 16, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and DAVID CROSBY, a/k/a "Smitty," the defendants, had a telephone conversation in which CROSBY said in substance that he was almost finished selling a quantity of HENRY's heroin; HENRY instructed CROSBY to rob a particular individual ("V-1"), if V-1 started selling drugs on HENRY's territory; and CROSBY agreed to "rob" and "beat" V-1 if necessary.

vv. On or about July 16, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JUAN DIAZ, a/k/a "Jay," the defendants, had a telephone conversation in which DIAZ said in substance that a "pack" of heroin he had opened from the supply in his residence was incomplete, and HENRY instructed DIAZ to notify him if this happened again.

ww. On or about July 17, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and KEVIN MARTINEZ, a/k/a "KK," the defendants, had a telephone conversation in which HENRY instructed MARTINEZ in substance to meet up with DAVID CROSBY, a/k/a "Smitty," the defendant, and

pick up a quantity of heroin from SHARIF DAVIS, a/k/a "Little Reese," the defendant, and MARTINEZ agreed to do so.

xx. On or about July 19, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JAMES RIDDLES, JR., a/k/a "Unc," the defendants, had a telephone conversation in which HENRY explained in substance that ALTON MAGGETTE, a/k/a "Mousy," and PHYLLISE JOHNSON, a/k/a "Cookie," the defendants, had angered HENRY, and RIDDLES said that if MAGGETTE had done something wrong, RIDDLES would help HENRY to discipline MAGGETTE.

yy. On or about July 19, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and CLARENCE COBO, a/k/a "C," the defendants, had several telephone conversations in which HENRY told COBO in substance to give the quantity of leftover heroin that COBO had not finished selling that day to EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendant.

zz. On or about July 20, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and DAVID CROSBY, a/k/a "Smitty," the defendants, had a telephone conversation in which HENRY stated in substance that he did not want ALTON MAGGETTE, a/k/a "Mousy," or PHYLLISE JOHNSON, a/k/a "Cookie," the defendants, selling heroin for him any longer, because HENRY did not trust them, and that HENRY was going to assault JOHNSON.

aaa. On or about July 20, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," the defendants, had a telephone conversation in which HENRY stated in substance that he had a delivery of heroin coming that evening; that after the delivery HENRY would provide WEAVER with heroin; and that if HENRY determined that any other supplier's heroin was being sold in the area, there would be "gunplay."

bbb. On or about July 21, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JAMEL ROBERTSON, a/k/a "B.I.," a/k/a "Biz," the defendants, had a telephone conversation in which HENRY said in substance that, as soon as he had collected his drug proceeds "off the street," he would provide money to ROBERTSON.

ccc. On or about July 21, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JOSEPH COSTELLO, SR., a/k/a "Joe," a/k/a "Cuzo," the defendants, had a telephone conversation in which HENRY told COSTELLO in substance that PHYLISSE JOHNSON, a/k/a "Cookie," MARVIN WILLIAMS, a/k/a "Manny," a/k/a "Mook," NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," the defendants, and co-conspirator not named as a defendant herein, would be coming to COSTELLO's residence to collect heroin for sale to customers.

ddd. On or about July 22, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and DESHEIL DILLIGARD, a/k/a "D," the defendants, had a telephone conversation in which DILLIGARD informed HENRY in substance that MARK MELENDEZ, a/k/a "Sparks," the defendant, had been arrested, and HENRY asked DILLIGARD to help him "make money" that week.

eee. On or about July 22, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and DESHEIL DILLIGARD, a/k/a "D," the defendants, had a telephone conversation in which HENRY instructed DILLIGARD in substance to bring a "bag" to 3080 Park Avenue and give it to JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," the defendant, and DILLIGARD agreed.

fff. On or about July 23, 2009, in the vicinity of 346 East 156<sup>th</sup> Street, Bronx, New York, JAIRO ELIGIO, a/k/a "Blade," the defendant, and a co-conspirator not named as a defendant herein ("CC-6"), sold approximately eight glassines of heroin to an undercover officer in exchange for approximately \$80.

ggg. On or about July 24, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendants, had a telephone conversation in which HENRY instructed GRAY in substance to meet up with NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," JOHN REAPE, a/k/a "Shadow," the defendants, and a co-conspirator not

named as a defendant herein, to collect drug proceeds and deliver them to one of HENRY's associates, and then to pick up an additional quantity of heroin from JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," the defendant.

hhh. On or about July 28, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendants, had a telephone conversation in which GRAY explained in substance that another individual ("V-2") was selling heroin in HENRY's territory and claiming that the heroin was supplied by HENRY under the "American Gangster" stamp, when in fact it was not, and HENRY said that he would call JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," the defendant, and get back to GRAY.

iii. On or about July 28, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendants, had a telephone conversation in which HENRY stated in substance that WEAVER would be bringing GRAY an additional quantity of heroin, and GRAY said in substance that ALTON MAGGETTE, a/k/a "Mousy," the defendant, had stolen drug proceeds from MARK MELENDEZ, a/k/a "Sparks," MARVIN WILLIAMS, a/k/a "Manny," a/k/a "Mook," and DAVID CROSBY, a/k/a "Smitty," the defendants, and that GRAY was going to shoot MAGGETTE and V-2 when he got the opportunity.

jjj. On or about July 28, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and MARVIN WILLIAMS, a/k/a "Manny," a/k/a "Mook," the defendants, had a telephone conversation in which HENRY stated in substance that WILLIAMS should hire two individuals to assault ALTON MAGGETTE, a/k/a "Mousy," the defendant, and that HENRY would have someone bring WILLIAMS \$500 as payment for committing the assault.

kkk. On or about July 29, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JAMEL ROBERTSON, a/k/a "B.I.," a/k/a "Biz," the defendants, had a telephone conversation in which ROBERTSON asked HENRY to bring "that thing" to ROBERTSON, and HENRY declined to do so because he did not want to "ride with that," but offered to call JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," the defendant, to see if WEAVER could help.

lll. On or about July 30, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JAMEL ROBERTSON, a/k/a "B.I.," a/k/a "Biz," the defendants, had several telephone conversations in which HENRY told ROBERTSON in substance to tell one of ROBERTSON's associates to bring HENRY a quantity of drug proceeds owed to HENRY, and ROBERTSON agreed.

mmmm. On or about July 31, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JAMES RIDDLES, JR., a/k/a "Unc," the defendants, had a telephone

conversation in which HENRY agreed in substance to help RIDDLES recover a drug debt owed to RIDDLES by another individual, and RIDDLES agreed to help HENRY recover the drug money owed to HENRY by ALTON MAGGETTE, a/k/a "Mousy," the defendant.

nnn. On or about August 4, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JOSEPH COSTELLO, SR., a/k/a "Joe," a/k/a "Cuzo," the defendants, had a telephone conversation in which HENRY asked in substance whether RAYMOND WAXTER, a/k/a "D.O.," a/k/a "Dog," the defendant, had turned in his drug proceeds, and COSTELLO responded that WAXTER had turned in \$300 but was short \$400.

ooo. On or about August 4, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and RAYMOND WAXTER, a/k/a "D.O.," a/k/a "Dog," the defendants, had a telephone conversation in which HENRY asked in substance, why WAXTER had not turned in the amount of drug proceeds he owed to HENRY, and WAXTER responded that three "bundles" of heroin had been stolen from him.

ppp. On or about August 4, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JOSEPH COSTELLO, SR., a/k/a "Joe," a/k/a "Cuzo," the defendants, had a telephone conversation in which COSTELLO explained in substance that he had given a quantity of heroin to HOWARD RONALD HOLLINGSWORTH, a/k/a "Old School," a/k/a "Ron," the defendant,

and that he was still waiting on the receipt of drug proceeds from VICTOR OZUNA, a/k/a "U-Man," FRED BROWN, and RAYMOND WAXTER, a/k/a "D.O.," a/k/a "Dog," the defendants.

qqq. On or about August 5, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and ARTURO DIAZ, a/k/a "Tulo," the defendants, had several telephone conversations in which HENRY agreed in substance to provide DIAZ with a quantity of heroin, and to pick up narcotics proceeds from DIAZ.

rrr. On or about August 5, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendants, had a telephone conversation in which HENRY confirmed in substance that GRAY had received a quantity of drug proceeds from JAIRO ELIGIO, a/k/a "Blade," the defendant, because HENRY had instructed ELIGIO to make a sale of heroin on HENRY's behalf.

sss. On or about August 5, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendants, had a telephone conversation in which GRAY said in substance that he had a quantity of drug proceeds ready for HENRY, except that GRAY was still waiting for DARRELL WAITERS, a/k/a "D-Papers," the defendant, to turn in his proceeds.

ttt. On or about August 8, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and ARTURO DIAZ, a/k/a "Tulo," the defendants, had a telephone conversation, in which HENRY told DIAZ in substance to collect \$500 or \$600 in drug proceeds from PHYLISSE JOHNSON, a/k/a "Cookie," the defendant, and DIAZ agreed to do so.

uuu. On or about August 8, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JUAN DIAZ, a/k/a "Jay," the defendants, had a telephone conversation, in which HENRY stated in substance that KEVIN MARTINEZ, a/k/a "KK," the defendant, had just procured a new supply of heroin for HENRY, and DIAZ told HENRY to tell either JOSEPH COSTELLO, SR., a/k/a "Joe," a/k/a "Cuzo," or ANTHONY MARTIN, a/k/a "Tyson," the defendants, to provide him with his share of heroin.

vvv. On or about August 12, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and DESHEIL DILLIGARD, a/k/a "D," the defendants, had a telephone conversation in which DILLIGARD explained in substance that NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," the defendant, had received a quantity of HENRY's heroin for distribution from HOWARD RONALD HOLLINGSWORTH, a/k/a "Old School," a/k/a "Ron," the defendant.

www. On or about August 14, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendants, had a telephone conversation in which they discussed in substance the fact that DARNELL WAITERS, a/k/a "D-Papers," the defendant, had been arrested in possession of HENRY's heroin, and GRAY said in substance that he was going to contact DASHAWN HARGROVE, a/k/a "Day Day," the defendant, to ascertain the whereabouts of the remaining heroin that the police had not discovered.

xxx. On or about August 17, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and DAVID CROSBY, a/k/a "Smitty," the defendants, had a telephone conversation in which they discussed in substance their suspicions that DASHAWN HARGROVE, a/k/a "Day Day," the defendant, was being disloyal to HENRY and JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," the defendant.

yyy. On or about August 17, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and DASHAWN HARGROVE, a/k/a "Day Day," the defendants, had a telephone conversation in which HARGROVE stated in substance that he was going to assault another individual who was selling narcotics on HENRY's territory, and HENRY said that HARGROVE had HENRY's support, if needed.

zzz. On or about August 19, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and DESHEIL DILLIGARD, a/k/a "D," the defendants, had a telephone conversation in which DILLIGARD explained in substance that NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," the defendant, needed a gun to use in a possible confrontation with another individual, and HENRY agreed to call DAVID CROSBY, a/k/a "Smitty," the defendant, who had a gun in his mailbox.

aaaa. On or about August 20, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JAIRO ELIGIO, a/k/a "Blade," the defendants, had a telephone conversation in which ELIGIO said in substance that he had stopped selling heroin on HENRY's behalf for the day because there had been a strong police presence in the area, and HENRY agreed that ELIGIO had made a wise decision.

bbbb. On or about August 20, 2009, in the vicinity of 346 East 156<sup>th</sup> Street, Bronx, New York, EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendant, and a co-conspirator not named as a defendant herein ("CC-7"), sold approximately seven glassines of heroin to an undercover officer in exchange for approximately \$70.

cccc. On or about August 21, 2009, in the Bronx, New York, DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," and JAMEL ROBERTSON, a/k/a "B.I.," a/k/a "Biz," the defendants, had a

telephone conversation in which ROBERTSON warned HENRY to watch out for "snakes" who might betray HENRY, because there were more "snakes" on HENRY's "block" than on ROBERTSON's block, and HENRY invited ROBERTSON to come to Connecticut to meet some of HENRY's associates.

dddd. On or about August 21, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and FNU LNU, a/k/a "Netty," the defendants, had a telephone conversation in which WEAVER asked FNU LNU, a/k/a "Netty," in substance to repay an amount of drug proceeds owed to WEAVER, and FNU LNU, a/k/a "Netty," promised to give WEAVER part of the money owed, in addition to a quantity of heroin.

eeee. On or about August 21, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," the defendants, had several telephone conversations in which WEAVER explained in substance that he had heard that MARK MELENDEZ, a/k/a "Sparks," the defendant, was selling another supplier's heroin, and asked HENRY to "handle" the situation; and HENRY said in substance that he was going to assault MELENDEZ.

ffff. On or about August 23, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," the defendants, had several telephone conversations in which HENRY stated in

substance that NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," ARTURO DIAZ, a/k/a "Tulo," and MARVIN WILLIAMS, a/k/a "Manny," a/k/a "Mook," the defendants, would begin distributing heroin as soon they received it from SHARIF DAVIS, a/k/a "Little Reese," the defendant, and WEAVER agreed in substance to distribute the heroin to HORSFORD and WILLIAMS.

gggg. On or about August 28, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," the defendants, had a telephone conversation in which HENRY said in substance that he was about to receive a new supply of heroin, which had come just in time, because NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," ARTURO DIAZ, a/k/a "Tulo," and MARVIN WILLIAMS, a/k/a "Manny," a/k/a "Mook," the defendants, had almost finished selling their allotted quantities of heroin.

hhhh. On or about August 28, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and VICTOR OZUNA, a/k/a "U-Man," the defendants, had a telephone conversation in which OZUNA stated in substance that he was about to give WEAVER the first half of drug proceeds from a quantity of heroin he was selling for WEAVER.

iiii. On or about August 28, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and VICTOR OZUNA, a/k/a "U-Man," the defendants, had several

telephone conversations in which OZUNA and WEAVER arranged to meet, so that OZUNA could provide WEAVER with drug proceeds.

jjjj. On or about September 1, 2009, in the vicinity of 681 Courtlandt Avenue, Bronx, New York, JAMARRA HEMPHILL, the defendant, sold approximately ten glassines of heroin and a quantity of crack cocaine to an undercover officer in exchange for approximately \$195.

kkkk. On or about September 1, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and DASHAWN HARGROVE, a/k/a "Day Day," the defendants, had a telephone conversation in which WEAVER said in substance that he was coming to pick up a sum of drug proceeds, and HARGROVE asked WEAVER for more time so that HARGROVE could finish selling his share of heroin.

llll. On or about September 2, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and JAMARRA HEMPHILL, the defendants, had a telephone conversation in which HEMPHILL asked WEAVER to give her "something," and WEAVER told HEMPHILL not to speak about anything on the phone.

mmmm. On or about September 2, 2009, in the vicinity of 160<sup>th</sup> Street and Walton Avenue, Bronx, New York, JAMARRA HEMPHILL, the defendant, agreed to provide an undercover officer with a quantity of heroin for approximately \$680, but

took the officer's money without providing the officer with any heroin.

nnnn. On or about September 2, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and FNU LNU, a/k/a "Netty," the defendants, had a telephone conversation in which FNU LNU, a/k/a "Netty," asked in substance whether the drug proceeds owed to WEAVER could be provided to DASHAWN HARGROVE, a/k/a "Day Day," the defendant, and WEAVER said that FNU LNU, a/k/a "Netty," could do so.

oooo. On or about September 4, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," the defendant, and an unidentified male ("UM-1") had a telephone conversation in which UM-1 offered to sell a nine-millimeter firearm to WEAVER for \$500, and WEAVER agreed to buy the weapon.

pppp. On or about September 10, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and KEVIN MARTINEZ, a/k/a "KK," the defendants, had a telephone conversation in which WEAVER stated in substance that he needed to receive a certain amount of drug proceeds from MARTINEZ within several days, and MARTINEZ said that he would comply.

qqqq. On or about September 11, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," the defendants, had a

telephone conversation in which WEAVER promised in substance to drop off a quantity of heroin for GRAY to distribute.

rrrr. On or about September 12, 2009, in the Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," and KEVIN MARTINEZ, a/k/a "KK," the defendants, had a telephone conversation in which MARTINEZ informed WEAVER in substance that other individuals were selling heroin in WEAVER's territory; WEAVER and MARTINEZ discussed the stamp under which that heroin was being sold; and WEAVER instructed MARTINEZ to investigate the situation.

ssss. On or about October 6, 2009, in the vicinity of 321 East 156<sup>th</sup> Street, Bronx, New York, CLARENCE COBO, a/k/a "C," the defendant, and a co-conspirator not named as a defendant herein ("CC-8"), sold approximately five glassines of heroin to an undercover officer in exchange for approximately \$50.

tttt. On or about October 8, 2009, in the vicinity of 3050 Park Avenue, Bronx, New York, CLARENCE COBO, a/k/a "C," the defendant, sold approximately four glassines of heroin to an undercover officer in exchange for approximately \$40.

uuuu. On or about October 13, 2009, in the vicinity of 3050 Park Avenue, Bronx, New York, CLARENCE COBO, a/k/a "C," the defendant, sold approximately ten glassines of

heroin to an undercover officer in exchange for approximately \$80.

vvvv. On or about October 13, 2009, in the vicinity of 320 East 156<sup>th</sup> Street, Bronx, New York, JAMARRA HEMPHILL, the defendant, sold approximately one glassine of heroin to an undercover officer in exchange for approximately \$10.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

7. In or about 2005, in the Southern District of New York and elsewhere, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," JOHN RODRIGUEZ, a/k/a "Buck," LATACTIA WILLIAMS JACOBS, MONIQUE GONZALEZ, and RONALD BROOKS, a/k/a "Jeter," the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

8. It was a part and an object of the conspiracy that JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," JOHN RODRIGUEZ, a/k/a "Buck," LATACTIA WILLIAMS JACOBS, MONIQUE GONZALEZ, and RONALD BROOKS, a/k/a "Jeter," the defendants, and others known and unknown, would and did distribute and possess with intent to

distribute a controlled substance, in violation of Title 21, Section 841(a)(1).

9. The controlled substance involved in the offense was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

OVERT ACTS

10. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York:

a. On or about September 1, 2005, in the vicinity of 681 Courtlandt Avenue, Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," JOHN RODRIGUEZ, a/k/a "Buck," the defendants, and a co-conspirator not named as a defendant herein ("CC-9"), sold approximately 100 glassines of heroin to an undercover officer in exchange for approximately \$820.

b. On or about September 8, 2005, in the vicinity of 681 Courtlandt Avenue, Bronx, New York, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," JOHN RODRIGUEZ, a/k/a "Buck," LATACTIA WILLIAMS JACOBS, MONIQUE GONZALEZ, and RONALD BROOKS, a/k/a "Jeter," the defendants, and a co-conspirator not named as a defendant herein ("CC-10"), sold approximately 200

glassines of heroin to an undercover officer in exchange for approximately \$1,650.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

11. As a result of committing the controlled substance offenses alleged in Counts One and Two of this Indictment, JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," DAVID CROSBY, a/k/a "Smitty," HOWARD RONALD HOLLINGSWORTH, a/k/a "Old School," a/k/a "Ron," MARVIN WILLIAMS, a/k/a "Manny," a/k/a "Mook," JOHN REAPE, a/k/a "Shadow," VICTOR OZUNA, a/k/a "U-Man," DASHAWN HARGROVE, a/k/a "Day Day," DARRELL WAITERS, a/k/a "D-Papers," SHARIF DAVIS, a/k/a "Little Reese," JAMEL ROBERTSON, a/k/a "B.I.," a/k/a "Biz," FRED BROWN, NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," KEVIN MARTINEZ, a/k/a "KK," RAYMOND WAXTER, a/k/a "D.O.," a/k/a "Dog," MARK MELENDEZ, a/k/a "Sparks," JAMES RIDDLES, JR., a/k/a "Unc," ANTHONY MARTIN, a/k/a "Tyson," ARTURO DIAZ, a/k/a "Tulo," FNU LNU, a/k/a "Netty," ALTON MAGGETTE, a/k/a "Mousy," ALICIA LUGO, a/k/a "Hazel," JAMARRA HEMPHILL, PHYLLISE JOHNSON, a/k/a "Cookie," DESHEIL DILLIGARD, a/k/a "D," CLARENCE COBO, a/k/a "C," JOSEPH COSTELLO, SR., a/k/a "Joe," a/k/a "Cuzo," SHATICHA COSTELLO, a/k/a "Ticha," PATRICIA PILOT, a/k/a "Patty," JUAN DIAZ, a/k/a "Jay," JAMES DAILY, a/k/a "K," JAIRO ELIGIO, a/k/a "Blade," LUIS BONILLA, JOSE CORUJO, JOHN

RODRIGUEZ, a/k/a "Buck," LATACIA WILLIAMS JACOBS, MONIQUE GONZALEZ, and RONALD BROOKS, a/k/a "Jeter," the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts One and Two of this Indictment, including but not limited to, the following:

a. A sum in United States currency representing the amount of all proceeds obtained as a result of the controlled substance offenses alleged in Counts One and Two of the Indictment.

Substitute Asset Provision

12. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants -

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value;

or

e. has been commingled with other property which cannot be subdivided without difficulty;  
it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846, and 853.)

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FOREPERSON

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Preet Bharara

PREET BHARARA  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

JOHNNIE WEAVER, a/k/a "Fresh," a/k/a "Esco," DWAYNE HENRY, a/k/a "Roc," a/k/a "Rocco," EMANUEL GRAY, a/k/a "E-Weezy," a/k/a "E," DAVID CROSBY, a/k/a "Smitty," HOWARD RONALD HOLLINGSWORTH, a/k/a "Old School," a/k/a "Ron," MARVIN WILLIAMS, a/k/a "Manny," a/k/a "Mook," JOHN REAPE, a/k/a "Shadow," VICTOR OZUNA, a/k/a "U-Man," DASHAWN HARGROVE, a/k/a "Day Day," DARNELL WAITERS, a/k/a "D-Papers," SHARIF DAVIS, a/k/a "Little Reese," JAMEL ROBERTSON, a/k/a "B.I.," a/k/a "Biz," FRED BROWN, NEVILLE HORSFORD, a/k/a "Nev," a/k/a "Nevledge," KEVIN MARTINEZ, a/k/a "KK," RAYMOND WAXTER, a/k/a "D.O.," a/k/a "Dog," MARK MELENDEZ, a/k/a "Sparks," JAMES RIDDLES, JR., a/k/a "Unc," ANTHONY MARTIN, a/k/a "Tyson," ARTURO DIAZ, a/k/a "Tulo," FNU LNU, a/k/a "Netty," ALTON MAGGETTE, a/k/a "Mousy," ALICIA LUGO, a/k/a "Hazel," JAMARRA HEMPHILL, PHYLLISE JOHNSON, a/k/a "Cookie," DESHEIL DILLIGARD, a/k/a "D," CLARENCE COBO, a/k/a "C," JOSEPH COSTELLO, SR., a/k/a "Joe," a/k/a "Cuzo," SHATICHA COSTELLO, a/k/a "Ticha," PATRICIA PILOT, a/k/a "Patty," JUAN DIAZ, a/k/a "Jay," JAMES DAILY, a/k/a "K," JAIRO ELIGIO, a/k/a "Blade," LUIS BONILLA, JOSE CORUJO, JOHN RODRIGUEZ, a/k/a "Buck," LATACIA WILLIAMS JACOBS, MONIQUE GONZALEZ, and RONALD BROOKS, a/k/a "Jeter,"

Defendants.

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INDICTMENT

09 Cr. \_\_\_\_ (\_\_\_\_)

(21 U.S.C. § 846).)

PREET BHARARA  
United States Attorney.

A TRUE BILL

Foreperson

